

[illegible]

- ☒ I hereby claim the benefit under Title 35, United States Code, § 119(e) or §120 of any United States application(s), or §365(c) of any PCT International application(s) designating the United States of America listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, §1.56 which became available between the filing date of the prior application and the national or PCT International filing date of this application:

Application No. <i>(U.S.S.N.)</i>	Filing Date <i>(dd/mm/yy)</i>	Status <i>(Patented, Pending, Abandoned)</i>
60/166,923	November 22, 1999	Pending
60/183,531	February 18, 2000	Pending

PCT International Applications designating the United States:

PCT International Application No.	PCT Filing Date	Status

I hereby appoint the following attorneys and/or agents to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith:

Attorney or Agent	Registration No.	Attorney or Agent	Registration No.
Kevin Ainsworth	39,586	Kristin E. Konzak	44,848
Ingrid Beattie	42,306	Cynthia Kozakiewicz	42,764
David B. Bernstein	32,112	Barry Marenberg	40,715
Naomi Biswas	38,384	William Marino	44,219
David F. Crosby	36,400	A. Jason Mirabito	28,161
James G. Cullem	43,569	Michel Morency	Limited Recognition
Brett N. Dorny	35,860	Bradley Olson	40,750
Marianne Downing	42,870	Carol H. Peters	45,010
Ivor R. Elrifi	39,529	John T. Prince	43,091
Heidi A. Erlacher	45,409	Michael Renaud	44,299
Christina Gadiano	37,628	Brian Rosenbloom	41,276
John A. Harre	37,345	Thomas M. Sullivan	39,392
Shane Hunter	41,858	Howard Susser	33,556
David E. Johnson	41,874	Shelby J. Walker	45,192
Kris Kalidindi	41,461	Martin M. Zoltick	35,745
Christina Karnakis	45,899		
Robert Klauzinski	42,742		

all of MINTZ, LEVIN, COHN, FERRIS, GLOVSKY AND POPEO PC, One Financial Center, Boston, Massachusetts 02111, as Applicant's attorneys with full power of substitution and revocation to take any and all action necessary with regard to the above-identified patent.

Address all telephone calls to Ivor R. Elrifi, Esq., at telephone number 617/542-6000.
Address all correspondence to:

Ivor R. Elrifi, Esq.
Mintz, Levin, Cohn, Ferris, Glovsky and Popeo, P.C.
One Financial Center
Boston, Massachusetts 02111

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or patent issued thereon.

Inventor's Signature

Full Name of Inventor: Bonnie Gould Rothberg

Citizenship: USA

Residence: 1701 Moose Hill Road

Post Office Address: Guilford, CT 06437

Date

Inventor's Signature

Full Name of Inventor: Vincent A. DiPippio

Citizenship: USA

Residence: 156 North Atwater Street

Post Office Address: East Haven, CT 06512

Date

Inventor's Signature

Full Name of Inventor: Tenmore M. Ramesh

Citizenship: India

Residence: 7 Sandpiper Lane

Post Office Address: New Milford, CT 06776

Date

Date _____

Citizenship: USA

Post Office Address: Brandford, CT 06405

TRADOCs:1402264.1(%1ZS01!.DOC)

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANTS:	Gould-Rothberg <i>et al.</i>		
ASSIGNEE:	Curagen Corporation		
SERIAL NUMBER:	Filed herewith	EXAMINER:	Not yet assigned
FILING DATE:	Filed herewith	ART UNIT:	Not yet assigned
FOR:	METHOD OF IDENTIFYING TOXIC AGENTS USING NSAID-INDUCED DIFFERENTIAL GENE EXPRESSION IN LIVER		

STATEMENT CLAIMING SMALL ENTITY STATUS
(37 CFR 1.9(f) and 1.27(c) – SMALL BUSINESS CONCERN)

I hereby state that I am an official of the small business concern empowered to act on behalf of the concern identified below:

CURAGEN CORPORATION
322 East Main Street
Branford, CT 06405

I hereby state that the above identified small business concern qualifies as a small business concern, as defined in 13 C.F.R. § 121, and reproduced in 37 CFR 1.9(d), for purposes of paying reduced fees to the United States Patent and Trademark Office under Sections 41(a) and (b) of Title 35, United States Code, in that the number of employees of the concern, including those of its affiliates, does not exceed 500 persons. For purposes of this statement, (1) the number of employees of the business concern is the average over the previous fiscal year of the concern of the persons employed on a full-time, part-time or temporary basis during each of the pay periods of the fiscal year, and (2) concerns are affiliates of each other when either, directly or indirectly, one concern controls or has the power to control the other, or a third-party or parties controls or has the power to control both.

I hereby state that rights under contract or law have been conveyed to, and remain with, the small business concern identified above with regard to the invention described in:

- ☐ the specification filed herewith with title as listed above;
☒ the application identified above; or
☐ the patent identified above.

If the rights held by the above identified small business concern are not exclusive, each individual, concern or organization having rights in the invention is listed below and no rights to the invention are held by any person, other than the inventor, who would not qualify as an independent inventor under 37 C.F.R. § 1.9(c), if that person made the invention, or by any concern which would not qualify as a small business concern under 37 C.F.R. § 1.9(d) or a nonprofit organization under

APPLICANTS: Gould-Ro [redacted] et al.
U.S.S.N.: Filed here [redacted]

37 C.F.R. § 1.9(e).

Each person, concern, or organization having any rights in the invention is listed below:

- ☒ no such person, concern, or organization exists.
☐ each such person, concern, or organization is listed below: ♦
♦ *Note: Separate Statements Claiming Small Entity Status are required from each named person, concern, or organization having rights to the invention. 37 C.F.R. § 1.27.*

Full Name:

Address:

☐ Individual ☐ Small Business Concern ☐ Non-profit Organization

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small business entity is no longer appropriate. 37 C.F.R. § 1.28(b).

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further, that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

Name of person signing: George Xixis, Esq.

Title in organization of person signing: Patent Counsel

Address of person signing: CURAGEN CORPORATION
322 East Main Street
Branford, CT 06405

Signature: _____

Date: _____

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